

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ACUITAS THERAPEUTICS INC.,

Plaintiff,

vs.

GENEVANT SCIENCES GMBH, and
ARBUTUS BIOPHARMA CORP.,

Defendants.

Case No. 1:22-cv-02229-MKV

**NOTICE OF DEFENDANT ARBUTUS BIOPHARMA CORP.'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(1)**

PLEASE TAKE NOTICE that, upon the Notice of Motion of Defendant Genevant Sciences GmbH to Dismiss the First Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(1), dated October 4, 2022; the Memorandum of Law in Support of Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1), dated October 4, 2022; the Declaration of Matthew D. Robson, dated October 4, 2022, and exhibits thereto; and upon all the papers and proceedings had herein, Defendant Arbutus Biopharma Corp. ("Arbutus") will move this Court, before the Honorable Mary Kay Vyskocil, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and at a time designated by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(1) dismissing the First Amended Complaint in its entirety with prejudice and granting such other and further relief as this Court may deem just and proper.

Dated: October 4, 2022
Los Angeles, California

Respectfully submitted,

By: /s/ Kira A. Davis
Daralyn J. Durie (*pro hac vice*)
Eric C. Wiener (*pro hac vice*)
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
T: 415-362-6666

Kira A. Davis
DURIE TANGRI LLP
953 East 3rd Street
Los Angeles, CA 90013
T: 213-992-4499

*Attorneys for Defendant Arbutus
Biopharma Corp.*